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5/27/04

Date

Ross Merritt

Ross Merritt

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re trademark application : 76/516,480
Filed : May 22, 2003
Applicant : Innovative Beverage Concepts, Inc.
Mark : TEA WITHOUT THE BAGGAGE
For : Nutritional shakes, diet shakes, and powdered drink mixes
containing tea for use as meal replacements in class 5
Teas, herbal teas, iced teas, tea bags, tea based beverages, candy
breath mints, and chewing gum in class 30

06-02-2004
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Trademark Trial and Appeal Board
Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3514

REQUEST FOR EXTENSION OF TIME TO OPPOSE


Ames International Corp. respectfully requests an extension of time of ninety (90) days from May 27, 2004, to and including August 25, 2004, within which to file a Notice of Opposition with respect to the trademark set forth in the above-identified application.

The extension is sought to afford Ames International Corp. sufficient time to review the issues associated with the published mark and determine what action should be taken.

This request is being filed in triplicate.

DATED this 27th day of May, 2004.

Respectfully submitted,
AMES INTERNATIONAL CORP
Seed Intellectual Property Law Group PLLC



E. Russell Tarleton
Attorney for Opposer

cc: Ames International Corp.

Enclosures:
Postcard
Two copies of this Request
(+ 2 copies)
Official Gazette Notice

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(ERT:rm)/486056_1.DOC

CLASS 41—EDUCATION AND ENTERTAINMENT

FOR EDUCATIONAL SERVICES, NAMELY, DEVELOPING EDUCATIONAL PUBLICATIONS FOR OTHERS AND ORGANIZING TRAINING OPPORTUNITIES IN THE FIELD OF NUTRITION TO IMPROVE HEALTH (U.S. CLS. 100, 101 AND 107).

FIRST USE 8-0-2000; IN COMMERCE 8-0-2000.
KARLA PERKINS, EXAMINING ATTORNEY

SN 76-515,561. BRAINSTORM NETWORK, LLC, NORMAN, OK. FILED 5-19-2003.

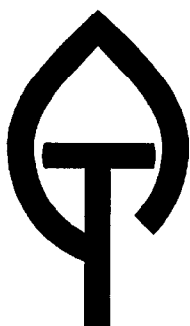
CARPE BOXEM**CLASS 9—ELECTRICAL AND SCIENTIFIC APPARATUS**

FOR EDUCATIONAL TOOLS, NAMELY, PRERECORDED VIDEO AND AUDIO TAPES AND DISCS IN THE FIELD OF ORGANIZATION MANAGEMENT, TRAINING AND INNOVATION, PERSONAL AND CAREER DEVELOPMENT AND LEADERSHIP AND TEAM DEVELOPMENT; EDUCATIONAL SOFTWARE FEATURING INSTRUCTION IN ORGANIZATION MANAGEMENT, TRAINING AND INNOVATION, PERSONAL AND CAREER DEVELOPMENT AND LEADERSHIP AND TEAM DEVELOPMENT (U.S. CLS. 21, 23, 26, 36 AND 38).

CLASS 16—PAPER GOODS AND PRINTED MATTER

FOR CARDBOARD, CORRUGATED AND PAPER BOXES (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).
NELSON SNYDER, EXAMINING ATTORNEY

SN 76-516,023. INNOVATIVE BEVERAGE CONCEPTS, INC., ALISO VIEJO, CA. FILED 5-23-2003.

**CLASS 3—COSMETICS AND CLEANING PREPARATIONS**

FOR NON-MEDICATED LIP BALMS; NON-MEDICATED SKIN AND BODY CARE PREPARATIONS, NAMELY, LOTIONS, CREAMS, SCRUBS, MASQUES, TONERS, CLEANSERS, MOISTURIZERS, OILS, GELS; NON-MEDICATED HAIR CARE PREPARATIONS, NAMELY, SHAMPOOS, CONDITIONERS, AND HAIR GELS; FRAGRANCES, NAMELY, PERFUMES, COLOGNES, AND ESSENTIAL OILS FOR PERSONAL USE; SUNSCREENS AND SUN BLOCKS (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

CLASS 18—LEATHER GOODS

FOR CLOTHING ACCESSORIES, NAMELY, PURSES, BACKPACKS, SATCHELS, AND SHOULDER BAGS (U.S. CLS. 1, 2, 3, 22 AND 41).

CLASS 25—CLOTHING

FOR CLOTHING, NAMELY, SHIRTS, T-SHIRTS, SWEATSHIRTS, PANTS, SHORTS, JEANS, JACKETS, DRESSES, LEGGINGS, SWEATPANTS, SWIMWEAR, COATS, SOCKS, GLOVES, HEADWEAR, NAMELY, HATS AND CAPS; AND FOOTWEAR, NAMELY, SANDALS, SHOES AND BOOTS (U.S. CLS. 22 AND 39).

ESTHER BELENKER, EXAMINING ATTORNEY

SN 76-516,480. INNOVATIVE BEVERAGE CONCEPTS, INC., ALISO VIEJO, CA. FILED 5-22-2003.

TEA WITHOUT THE BAGGAGE**CLASS 5—PHARMACEUTICALS**

FOR NUTRITIONAL SHAKES, DIET SHAKES, AND POWDERED DRINK MIXES CONTAINING TEA FOR USE AS MEAL REPLACEMENTS (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FIRST USE 4-24-2002; IN COMMERCE 4-24-2002.

CLASS 30—STAPLE FOODS

FOR TEAS, HERBAL TEAS, ICED TEAS, TEA BAGS, TEA BASED BEVERAGES, CANDY BREATH MINTS, AND CHEWING GUM (U.S. CL. 46).

FIRST USE 4-24-2002; IN COMMERCE 4-24-2002.

MARK T. MULLEN, EXAMINING ATTORNEY

SN 76-516,481. INNOVATIVE BEVERAGE CONCEPTS, INC., ALISO VIEJO, CA. FILED 5-22-2003.

TEA WITHOUT THE BAGGAGE**CLASS 3—COSMETICS AND CLEANING PREPARATIONS**

FOR NON-MEDICATED LIP BALMS; NON-MEDICATED SKIN AND BODY CARE PREPARATIONS, NAMELY, LOTIONS, CREAMS, SCRUBS, MASQUES, TONERS, CLEANSERS, MOISTURIZERS, OILS, GELS; NON-MEDICATED HAIR CARE PREPARATIONS, NAMELY, SHAMPOOS, CONDITIONERS, AND HAIR GELS; FRAGRANCES FOR PERSONAL USE, NAMELY, PERFUMES, COLOGNES, AND ESSENCES; SUNSCREENS AND SUN BLOCKS (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

CLASS 18—LEATHER GOODS

FOR CLOTHING ACCESSORIES, NAMELY, PURSES, BACKPACKS, SATCHELS, AND SHOULDER BAGS (U.S. CLS. 1, 2, 3, 22 AND 41).